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March 29, 2023

*Via ECF*

Honorable R. Barclay Surrick  
United States District Judge  
United States District Court  
Eastern District of Pennsylvania  
601 Market Street, 8th Floor  
Philadelphia, PA 19106

**Re: United States v. Glenmark Pharma. Inc., USA et al., 20-cr-200**

Dear Judge Surrick:

Defendants Teva Pharmaceuticals USA, Inc. (“Teva”) and Glenmark Pharmaceuticals Inc., USA (“Glenmark”) respectfully submit this letter in response to the March 20, 2023 letter (“Arahamian Ltr.”) Mr. Arahamian’s counsel submitted in *United States v. Arahamian*, 20-cr-64 (RBS), and the March 27, 2023 response filed (“DOJ Ltr.”) by the Department of Justice. In his letter, Mr. Arahamian’s counsel requests that the Court (i) adjourn the current trial date presently scheduled for October 30, 2023 for four months; and (ii) similarly adjourn for four months the current dispositive motions deadline scheduled for May 19, 2023.

Teva and Glenmark agree with the grounds on which Mr. Arahamian’s counsel seeks these adjournments—namely, that the case is complex, that the unlawful conduct the government alleges is far-reaching and indeterminate, and that the documentary discovery is immense and unfocused. And while the above-referenced case against Teva and Glenmark is a separate matter, the Court previously matched the motion deadline for Teva and Glenmark to the May 19, 2023 date in the *Arahamian* matter. For the reasons discussed, it is Teva’s and Glenmark’s position that, should the Court decide to adjourn the *Arahamian* motion deadline, the corresponding date in this case should be moved to that same new date. The DOJ Ltr. notes that pushing back the motions deadline in the *Arahamian* case would “misalign the deadlines, wasting judicial resources and creating burdens and duplication for the court . . .” DOJ Ltr. at 2. The simplest solution to fix that problem would be to push back the motions deadline in the *Teva/Glenmark* case.

As the Court is aware, the two cases arise from similar alleged conduct. Indeed, there is significant overlap between the allegations made in the two separate indictments, and thus the pretrial motions filed by defendants in both cases will likely be similar. For example, Count

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Two of the Second Superseding Indictment against Teva charges the same conspiracy as charged in Count Two in the Indictment against Aprahamian. The language of the two Counts is virtually identical. As a result, the Court's decisions on these motions will very likely have an equal impact on both cases.

And indeed, it was precisely in light of these overlaps that the Court initially set the briefing of the pretrial motions for both matters on the same schedule. That schedule promoted efficiency, avoided unnecessary repetitive briefing, and allowed the Court to address the overlapping substantive pretrial issues only once, with the benefit of input from all the interested parties. Respectfully, those very same considerations still exist and support Teva's and Glenmark's request here: that any adjournment of the motion deadline in *Aprahamian* also extend the motion deadline in the case against Teva and Glenmark to the same new date. Teva and Glenmark make no other requests regarding the schedule in this case at this time.

Thank you for your consideration of this request.

Respectfully submitted,

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Respectfully submitted,

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cc: Government Counsel of Record (via ECF)